IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.785 OF 2004
IN
SUIT NO.1968 OF 2004

Ramdaur Ramkaran Maurya ..Plaintiff

Vs.

Tukaram G.Chavan ..Defendant

Mr.R.D.Mishra for the plaintiff

Mr.R.D.Suryawanshi for the defendant

CORAM : S.U.KAMDAR, J
DATED : 27TH SEPTEMBER, 2005

P.C.:

. The present suit is filed on two cheques of Rs.70000/- each. The defendant has produced writing dt.15.8.05 duly signed by the plaintiff stating therein that amount is already been repaid. However, the learned counsel for plaintiff disputes the said writing. In view of the aforesaid, in my opinion, triable issue arises in the present case. Accordingly, Summons for Judgment is dismissed. In view thereof, unconditional leave to defend is granted. Suit is transferred to the list of Commercial Causes. Written Statement or points of

defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.